

Appl. No. 09/660,785
Amdt. dated February 17, 2004
Amendment under 37 CFR 1.116 Expedited Procedure
Examining Group 2645

PATENT

REMARKS/ARGUMENTS

Claims 1-25 were pending in this application. Claims 1, 11, and 23 have been amended. Claims 5 and 15 have been cancelled. No claims have been added. Hence, claims 1-4, 6-14, and 16-25 remain pending. Reconsideration of the subject application as amended is respectfully requested.

Claims 1 and 5 stand rejected under 35 U.S.C. § 102(b) as being anticipated by the cited portions of U.S. Patent No. 5,805,587 to Norris, *et al.* (hereinafter "Norris").

Claims 1-4, 6-8, 10-14, 16-18, 20 and 22-25 stand rejected under 35 U.S.C. § 102(e) as being anticipated by the cited portions of U.S. Patent No. 6,259,692 to Shtivelman, *et al.* (hereinafter "Shtivelman").

Claims 9, 15 and 19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Shtivelman, in view of the cited portions of U.S. Patent No. 6,353,611 to Norris.

Claims 1, 11, and 23 have been amended to include subject matter from claim 5. Thus, no new matter has been added. These amendments are intended to place all pending claims in condition for allowance.

Claim Rejections Under 35 U.S.C. § 102

Claims 1, 11, and 23 now includes the limitation "wherein said query includes an option of sending said telephone call to a voicemail system" previously included in the subject matter of claim 5. Neither of the cited references teaches this limitation. The Office Action does not specifically address this limitation with respect to claim 5. In rejecting claim 15, however, which includes a similar limitation, the Office Action says that this is taught by Shtivelman at col. 5, lines 55-60. At line 60, however, Shtivelman goes on to say that the "selection of options available to each ICW subscriber is set at the time of subscription." This seems to say that, in contrast to the Applicant's teaching, the subscriber is not presented with a contemporaneous option to send the call to voice mail. Instead, the subscriber's selection is made at the time of

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subscription. Thus, the cited references do not teach, "wherein said query includes an option of sending said telephone call to a voicemail system," and claims 1, 11, and 23 are believed to be allowable.

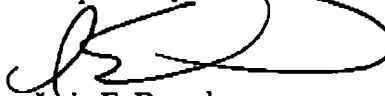
The remaining claims depend from one of claims 1, 11, and 23, and are believed to be allowable for the reasons stated above.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,



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